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**STATE OF DELAWARE  
BOARD OF PHARMACY**

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<b>PUBLIC MEETING NOTICE:</b>	<b>BOARD OF PHARMACY</b>
<b>DATE AND TIME:</b>	<b>Wednesday, March 18, 2016 9:30 am</b>
<b>PLACE:</b>	Conference Room A, 2 <sup>nd</sup> Floor Cannon Building 861 Silver Lake Blvd., Dover, DE 19904
<b>APPROVED:</b>	April 20, 2016

**MEMBERS PRESENT**

David W. Dryden, R.Ph., J.D., Executive Secretary  
Susan Esposito, R.Ph., Professional Member, President  
Hooshang Shanehsaz, R.Ph., Professional Member, Vice President  
Tejal Patel, PharmD, Professional Member  
Bonnie Wallner, R.Ph., Professional Member  
Kimberly Robbins, R.Ph., Professional Member  
Julia Wheatley, Public Member  
Jay Galloway, Public Member

**MEMBERS ABSENT**

Kenneth Sellers, Public Member  
Michelle McCreary, Pharmacist Compliance Officer

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Kelly, Deputy Attorney General  
Christine Mast, Administrative Specialist III

**ALSO PRESENT**

Sean Moore  
Deborah Hamilton  
Amy Bixler  
Amy Simmons  
Alison Forrest  
Viet Nguyen  
Steve Shipper  
Joshua Coffield  
Bill Harbester

**CALL TO ORDER**

Ms. Esposito called the meeting to order at 9:33 a.m.

**REVIEW OF MINUTES**

A motion was made by Mr. Shanehsaz and seconded by Mr. Galloway, to approve the meeting minutes for February 17, 2016 with corrections. The motion unanimously carried.

## **UNFINISHED BUSINESS**

### **Re-Review of Tabled Application**

Darjen, Inc. – a motion was made by Ms. Robbins and seconded by Mr. Shanehsaz to approve the application. The motion unanimously carried.

### **Statutory and Regulatory Discussion**

Ongoing - Provision for Disciplinary Action – Ms. Kelly is preparing a bill for presentation to the director for review.

Ongoing - Clarification of 24 **Del. C.** §2512(e)(f), Inactive Status - Ms. Kelly is preparing a bill for presentation to the director for review.

Ongoing - Patient Practitioner Relationship & E-Prescribing Update – Ms. Kelly provided a completed bill for processing to Mr. Mangler.

## **PRESIDENT'S REPORT**

Ms. Esposito had no report. She did remind the Board of the upcoming DEA continuing education opportunities occurring this weekend in Wilmington, De.

## **NEW BUSINESS**

Ms. Esposito read into the record the following ratifications:

### **Pharmacist and Intern Licensure Approval Ratifications**

#### **Pharmacist:**

A1-0004909 Pamela Sing  
A1-0004910 Saurin C. Modi  
A1-0004911 Kanchan A. Mirchandani  
A1-0004912 Amakoe Lene Ajavon  
A1-0004913 Alfreda T. Morris  
A1-0004914 Joanna L. Ochana  
A1-0004915 Jeannine Anne Hipp

#### **Pharmacist Intern:**

None

A motion was made by Ms. Robbins and seconded by Ms. Patel to approve the ratification of the Pharmacist applications. The motion unanimously carried.

### **Non-Resident Pharmacy Licensure Approval Ratifications**

A9-0001811 Sentrix Pharmacy and Discount, LLC  
A9-0001812 Expedien RX Pharmacy  
A9-0001813 Absolute Veterinary Compounding Pharmacy  
A9-0001814 Quick Care Pharmacy Inc  
A9-0001815 Veterinary Pharmacies of America, LLC  
A9-0001816 Carepoint Rx  
A9-0001817 PerformSpecialty, LLC  
A9-0001818 PharmaMedRx LLC  
A9-0001819 CGS Pharmacy, LLC

A motion was made by Ms. Robbins and seconded by Ms. Patel to approve the ratification of the Non Resident Pharmacy applications. The motion unanimously carried.

Wholesale Distributor Licensure Approval Ratifications

A4-0001782 Owens & Minor Distribution, Inc.

A4-0002286 Mallinckrodt Nuclear Medicine LLC

A motion was made by Ms. Robbins and seconded by Ms. Patel to approve the ratification of the Wholesale Distributor applications. The motion unanimously carried.

Medical Gas Dispensers

None

Retail Pharmacy Licensure Approval Ratification

None

Retail Pharmacy Temporary Licensure Approval Ratification

None

Outsourcing Facility

None

Pharmacist-In-Charge Interviews

Ms. Robbins conducted PIC interviews with the following Pharmacists In Charge:  
Joshua Coffield, Walgreens Harrington, De

Board Review of Facility Applications

MedQuest Pharmacy, Inc. (UT) - a motion to approve the application was made by Mr. Shanehsaz and seconded by Ms. Wallner. The motion unanimously carried.

Alliance Allergy Solutions, LLC (AL) - a motion to approve the application was made by Ms. Wallner and seconded by Mr. Shanehsaz. The motion unanimously carried.

VistaPharm, Inc. - a motion to approve the application was made by Mr. Shanehsaz and seconded by Ms. Wallner. The motion unanimously carried.

Pharmacist & Pharmacy - Discussion/Action Items

3PL-Licensure Discussion – Ms. Kelly shared her findings regarding statutory and regulatory information on licensure in this state. After discussion with the board Ms. Kelly will review others states and federal guidelines regarding licensure and report back to the board the next meeting.

Telemedicine HB69 Pharmacy Statute and Regulations changes review/discussion – Ms. Kelly explained the statute regarding Telemedicine and the need to formulate rules and regulations to support the statute. Telemedicine will have an impact on pharmacists and the pharmacy license holders. Ms. Kelly and Mr. Dryden will formulate draft regulations for the board to review at the next meeting.

**COMMITTEE REPORTS**

**Legislative** – Jay Galloway, Kim Robbins, Tejal Patel, Hooshang Shanehsaz and David Dryden

CHPA - draft Model State Dextromethorphan Legislation – During the last meeting the Board reviewed the draft Model State Dextromethorphan legislation. Today, Mr. Sean Moore Associate Director, Consumer Healthcare Products Association and Ms. Deborah Hamilton presented additional information to the board regarding the proposed legislation changes. Ms. Hamilton explained upcoming issues and concerns were discussed with stake holders. She stated that Pharmacy chain stores are neutral with their position of this legislation as well as grocery store chains. Mr. Moore discussed the affected population approximately of 5.25% of teens using dextromethorphan which has decreased to 3.1% in 2015. The legislation introduced would require the cashier to verify the age of anyone who appears to be under the age of 25 to ensure that the purchaser is at least 18 years of age.

**Continuing Education** – Bonnie Wallner, Tejal Patel and David Dryden:

No Report

**Consumer Affairs** – Ken Sellers, Jay Galloway and Julia Wheatley

No Report

**Professional Liaisons** – Kim Robbins, Tejal Patel and Hooshang Shanehsaz:

Mr. Shanehsaz reported from the Delaware Pharmacists Society meeting that Heart 360 events are being held throughout the state. This initiative provides blood pressure and medication monitoring. House Bill 284 which creates a maximum spending level for pricing continues to be reviewed and discussed. The DPS convention is scheduled for May 9-11 in Dewey Beach, De.

**Controlled Substance Liaisons** – Tejal Patel, Hooshang Shanehsaz, Jay Galloway and David Dryden:

No Report

**EXECUTIVE SECRETARY, INSPECTION & PMP REPORT - David Dryden, Michelle McCreary, Samantha Nettesheim**

Mr. Dryden reported that he had been contacted regarding a complaint by a veterinarian regarding our Board of Pharmacy bill on Outsourcing Facilities. The letter received stated that the Board of Pharmacy made these changes under the radar and was not properly noticed to the public and that Outsourcing Facilities could only compound for human use, not animal patients. Mr. Dryden refuted both of these allegations in a response letter that was provided to the Board (the response letter is available upon request).

Mr. Dryden was previously asked by the board to contact other states regarding Practitioner Ownership of Pharmacies. Mr. Dryden contacted the Pennsylvania Board of Pharmacy, they allow practitioner ownership of pharmacies however, they limit practitioner ownership controlling to less than 51%. The Board requested that this discussion and follow up be review by the legislative committee going forward. He has not heard back from Maryland as of this date.

Mr. Dryden shared a News Journal article with the Board from the CDC entitled “Doctors told not to Prescribe opiates for chronic pain”. He also stated that the Secretary of State Jeff Bullock and the Controlled Substance Committee continue to work on safe opioid prescribing guidelines.

Mr. Dryden stated that the Prescription Monitoring Program system upgrades should be completed within the next 30 days. Health Information Designs, LLC. (HID) is currently working on several positive items to assist our PMP process. Ms. Wallner asked if there was a way to eliminate DEA numbers from PMP reports, because patients in a hospital setting have a right to review their records and the DEA numbers must each be individually deleted to fulfil this request. Mr. Dryden asked for Ms. Wallner to send him an email outlining her request.

Ms. McCreary is currently attending the jurisprudence exam review at the National Board of Pharmacy.

**BOARD CORRESPONDENCE**

Letter received from NABP – NAPLEX Program Notification.

**NEWSLETTER UPDATES**

None

**OTHER BUSINESS BEFORE THE BOARD**

Mr. Shanehsaz stated that he had spoken with Delaware Health Information Network (DHIN) regarding patient safety and pharmacist access to this information. Currently several big chain pharmacies are providing information to DHIN. DHIN stated that they would be happy to come and speak to the Board at their request.

**PUBLIC COMMENT**

Mr. Harbester of DPS reminded the Board of the DPS convention to be held May 9-11, 2016 in Dewey Beach, DE. He also stated that MTM Certification Program will be available on April 14, 2016; it is free of charge and is ACPE approved.

**NEXT SCHEDULED MEETING**

The next meeting is scheduled for April 20, 2016 at 9:30 Am., Conference Room A 2<sup>nd</sup> floor.

**ADJOURNMENT**

There being no other business before the Board a motion to adjourn the meeting was made by Ms. Robbins, and seconded by Ms. Patel at 10:38 am. The motion unanimously carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mast", written in a cursive style.

Christine Mast  
Administrative Specialist III  
Liaison, Board of Pharmacy